

REMARKS

The specification has been amended to add section headings and to provide a description of elements 11 that was previously missing from the specification. Support for the amendment to page 4 is found in original claim 2, which forms part of the originally filed disclosure.

Claims 9-14 were rejected under §112, first paragraph. Reconsideration and withdrawal of the rejection are respectfully requested in view of the amendment to the specification.

The two pins 8 are transversely movable at one end; that is, they move sideways relative to the longitudinal axis of the weapon. As explained at the bottom of amended page 4, the ends of the pins 8 that are in respective ones of the elements 1, 2 move transversely by means of worm screws 10. Note that Figure 2 shows that each opening that receives a respective pin 8 is rectangular to permit this transverse motion of the pins 8. The pins 8 are moved by operation of the worm screws 10 as explained at the bottom of page 4 and the top of page 5. It is believed that one of skill in the art would find this explanation sufficient to understand that the elements 1, 2 can rotate as claimed.

By way of further explanation, 35 USC §112 does not prescribe the claims to be in exact verbal agreement with the specification, but only "to enable any person skilled in the art...to make and use the same...". We respectfully deem that the

man skilled in the art is indeed able to understand the functional principles of the invention disclosed in the application in object as it is filed, without the aid of a description of every construction detail.

The Official Action opines that the description related to the claimed subject matter is unclear, and therefore the person skilled in the art may not be able to build the device in question. It is our opinion that the description is clear concerning the functioning principles of the stock. Indeed, the invention is in itself simple, and as such, there is no need in providing too much detailed information about the way it can be realized. The description tries to refer to all the possible peculiar ways for carrying out the invention, being it so easy that even the non-skilled in the art could be able to understand it, once the functioning principles are unveiled. The inventor is a talented shooter, and after spending years in trying different models of rifles, he came to the conclusion that what he needed was an easy-to-use alignment regulation device integrated in the rifle's stock. What is described in the application in object is both really functioning and immediate, the shooter being able to easily and quickly adjust the relative position of the stock's two elements. On page 4, lines 25-31, it is clearly written: "...the elements 1 and 2 are joined to each other by means of pins 8, whose ends are attached to the elements 1 and 2 by means of plates 9 which are embedded in either one of

the elements forming the stock as described above. Said plates can regulate micrometrically the position of the ends of the pins 8 in a transverse direction to the stock, as said ends are attached to a worm screw." On page 5, lines 1-8, it is stated: "...regulation of the horizontal movement of element 1 in relation to element 2 takes place with micrometric regulation of the position of the pins 8 by actuating the screws 10 which move the point of attachment of the pin in a transverse direction, enabling translation or rotation of one element in relation to the other". The English translation of the patent text, which reference to the above-cited lines, intended "in relation to" as "according to" or "with respect to". The way the two pins can move along a transverse direction with respect to the longitudinal axis of the rifle is clear: in the example, the lower ends of the two vertical pins are connected to the worm screws 10, so that actuating the worm screws 10 results in shifting laterally the attachment position of the pins 8. As the two pins move independently, this results in translation or rotation of the element 1 according to element 2. This mechanism is not complicated so that any craftsman skilled in the art as well as the non-skilled is able to understand its functioning independently from any specific embodiment. The functioning of the worm screws is not new in itself, and there is no need of detailed description of known features in the specification. As is known, worm screws move a captured sleeve along the length of

the screw as the screw is turned. In this instance, one of skill in the art would recognize that the sleeve that is movable on the worm screw would capture the end of the pin 8 to cause the end to move transversely.

As it concerns vertical adjustment, the screws 12 may be bare grub screws, whose rotation simply blocks the insertion of pins 8 into element 2 at the desired height.

Claims 9-14 were rejected under §112, second paragraph, and have been replaced with new claims that are proper as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 9-11 and 13-14 were rejected as anticipated by CAREY 5,392,553. Reconsideration and withdrawal of the rejection are respectfully requested in view of the new claims and in view of the following explanation.

The CAREY abstract says that the stock in question is "...universally adjustable fore and aft, up and down, and laterally, for a more comfortable and accurate shooting".

We would submissively note that this regulation system may have some limits, and above all may not be that comfortable for the shooter.

The comb piece 14 is said to be able to rotate on a vertical plane relative to the stock 10. In fact, there are provided means for performing that function, explained on page 5, lines 32-37: "to adjust the front of the comb for elevation,

insert an Allen head wrench in passageway 120...raises or lowers the flexible support bar segment 78".

In applicant's opinion, the limit lies in the following: given that the flexible support bar 78 slides in the T-shaped slot 102 and of the comb 14, and yet the comb is made of hardwood, if the flexible bar 78 flexes it may brake the slot 102, for if it did not brake it then the slot 102 should be loose, and the comb unstable. Therefore, this regulation may not work properly. Further, analyzing the comb together with the shoulder piece is made to rotate on the horizontal plane with respect to the rest of the stock, then it will be clear that it may be very difficult to achieve a precise and comfortable fine tuning of the stock like it is achieved with the present invention.

As a proof of that, on page 4, lines 32-35, it is stated: "lateral adjustment of the rear portion of comb 14 is achieved by the simple process of unlatching latch 66 and removing the support bar 74 assembly including the comb. Loosen set screws 42 and adjust the position of support block 26 relative to adjustment plate 28..."

In other words, to adjust the orientation of the comb relative to the barrels, the shooter has to remove each time the comb piece itself, together with the assembly 74. As a consequence of performing the regulation with this method, the shooter has to guess the exact degree of orientation each time he

changes orientation of the comb. The regulation shall be a long "trial and error" work, whereby the concentration of the shooter is continuously fragmented by the removal of the assembly 74. In the present invention, it is possible to act directly on both screws 10 or just on one of them, until the exact regulation is achieved. By this way, the shooter never guesses the exact regulation and set up, but is able instead to actuate micrometrically the regulation means directly while he is aiming.

Another matter of fact is that the stock assembly disclosed in CAREY is complicated, being provided with a dampening system which is absent herein. The great number of pieces that makes up the stock, as well as the great number of screws and attachment means necessary, render the stock expansive and inaccurate, being very probable that all the screws provided will tend to loosen shot after shot because of vibrations adsorbed. As set forth herein, the regulation screws are not fixed except for the tightening screws 11, which results in a more stable stock.

CAREY's stock 10 and CAREY's connected comb 14 and shoulder pad 12 are not joined by two rigid pins.

From Webster's Dictionary, a pin is a small metal rod, driven through the holes of adjacent parts, to keep them together; or a short cylindrical rod or tube, joining two parts so as to permit them to move in one plane relative to each other.

It is then plain that adjustment screw 122 and present recoil block 44 cannot be regarded as pins in the sense of the new claims. Further, in CAREY, recoil block 44 has a totally different scope relative to the present pins 8. It is provided to cooperate with the dampening system, and the connected comb 14 and shoulder pad 12 only lean onto recoil block 44 by means of screw 104. In other words, the at least two elements composing the stock are not joined together by means of recoil block 44, but instead by means of screw 122 and screws 90. Again, these are screws, not pins; they do not allow for reciprocal sliding of the two elements in question, as the definition prescribes. Note, also, that pins 8 are parallel to each other, while screws 90 and screw 122 are perpendicular.

CAREY's recoil block 44 and screw 122 are not attached by both ends to plates embedded in the two elements composing the stock.

While it is true that screw 122 is attached to both its ends to plates embedded in the two elements composing the stock, the recoil block 44 is definitely not. The recoil block 44, not being a pin, do not have ends, but upper and lower faces, and front and rear faces.

The upper and lower faces are not attached anywhere, while the front face of recoil block 44 is in contact with the spring 65.

Further, "said plates 9 being able to regulate micrometrically the position of the ends of the pins 8 in a transverse direction to the stock, as said ends are attached to a worm screw" find no supportable anticipating feature in CAREY, being evident that CAREY does not rely upon pins, and there is no pin-or-the-like element in CAREY whose end is attached to a worm screw.

Claim 12 was rejected as unpatentable over CAREY in view of HICKMAN 4,203,244. Reconsideration and withdrawal of the rejection are respectfully requested in view of the present amendment for the reasons set forth above.

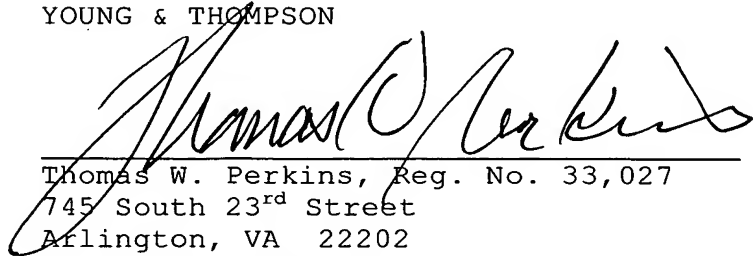
Claim 21 has been added and is allowable because the references do not disclose or suggest the two spaced-apart and vertically oriented pins that join the first and second elements to each other, where the two pins are attached at one end to a respective first plate in the first element and attached at an opposite end to a respective second plate in the second element, and where the first plates each include a respective horizontally oriented worm screw that moves a respective pin end transverse to the axis of the rifle to cause the second element to rotate relative to the first element.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in dark ink, appearing to read "Thomas W. Perkins", is written over a horizontal line.

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